

TWO CENTS.

SCRANTON, PA., WEDNESDAY MORNING, FEBRUARY 9, 1898.

TWO CENTS

THIS JUDGE NOT AFRAID

Another Sensation Is Sprung in the Martin Trial.

COURT REPLIES TO THREATS

Does Not Fear Anonymous Correspondents.

John Lynch Testifies That the Strikers Were Orderly and That Deputy Manley Threatened to Blow Off the Head of the Witness--The American Flag Is Torn by a Deputy. Waldo Perkerski's Evidence--A Tilt Between Attorneys.

Wilkes-Barre, Feb. 8.--Another sensation was sprung on the auditors of the Martin trial today, when Judge Woodward announced that he had received an anonymous letter threatening him with harm unless certain things were done.

The man who wrote this will probably hear what I have to say, and I want to tell him he is a scoundrel and a coward, and that no such dishonorable means will in any way affect my judgment. Cowardice and personal fear are not a characteristic of the race from which I come.

Before the hearing of evidence was resumed, the judge sustained the defense and ruled out that part of the testimony of John Costello relating to his conversation with Deputy Hess, in which the latter threatened to shoot him because he protested against the shooting of the strikers. This evidence was given yesterday afternoon and a lengthy argument followed on the question of its admissibility.

Costello was recalled this morning and said he had seen three dead and eight wounded men lying along the road from Parley's hotel to Lattimer. He said he did what he could for the wounded and found no weapons on any of them.

Evan Jones, chief of police of West Hazleton, testified that the strikers reached Hazleton on the afternoon of the shooting and there met the sheriff and the deputies. They carried a flag and talked loud, but they had no arms and made no disturbance of any kind. The sheriff told them they could not march to Lattimer and that they must go home whereupon he, Jones, induced them to go back and showed them how they could march by a side street.

John Lynch testified that he was at West Hazleton when the strikers arrived and that they were orderly. The sheriff told some of the spectators they had better get out of the way, as there was liable to be trouble if the strikers did not disperse. The witness pointed out the following deputies as being among those he had seen at West Hazleton: Houpt, Ridgway, Young, Salem, Harry and Frank Zeldit, Platt, Cook, Dodson, Ferry, Barton, Sobers, Clark, Jones and the sheriff.

THREATS WERE MADE. The witness said Deputy Manley had struck him with a gun as he was moving off the street and that another man had also been struck. He heard several threats against the strikers. One deputy pointed his gun at a striker and said, "I could get a bead on that fellow." Another said, "I'll set even with you when I get to Lattimer." Deputy Ferry told that he had seen a sympathizer with a striker whose head was bleeding that if he did not shut up he would blow his head off.

Witness denied on cross-examination that he had a black jack and tried to hit a deputy with it, or that he had tried to break through the line of deputies.

Herman Pottunger, of Hazleton, said that while he was at West Hazleton on the day of the shooting Deputy Henry Behl threatened to "blow my brains out if I did not get off the road."

The witness pointed out Barton, Hall, Pelsel, Lanley and Moile as deputies whom he saw at West Hazleton. He heard Hall say, "I'd like to get a 'pon at them." Another deputy said, "I bet I drop six of them when I get over there."

The cross-examination was severe, but it did not affect Pottunger's story. Judge Rice, of the superior court, occupied a seat beside Judge Woodward when court convened for the afternoon session.

The cross-examination of Pottunger was resumed and he was asked if he did not tell Benjamin Morris that he did not know much about the case, but that he was getting down well paid for it, showing him at the same time a roll of money. Pottunger denied this.

John Fortsch, who required an interpreter, said that he was at West Hazleton with the strikers and saw the sheriff threaten to shoot down several men. He stated that the strikers had no clubs or weapons of any kind, that one of the deputies pulled down the American flag and tore it. At Lattimer the witness saw no disturbance and that almost as soon as the strikers halted a shot was fired and then came the volley. The firing continued about five minutes he said. On cross-examination he said he did not see much of what happened during the shooting as he was badly frightened and the bullets were whizzing about his head. He said he did not see any man fall within fifteen feet of the strikers and he stood about fifteen yards away. He said Chief of the Coal and Iron Police Hampton was the man who tore the flag at West Hazleton.

EXCITING SCENES AT ZOLA'S TRIAL

Casimir Perier Creates a Sensation as a Witness.

WON'T SWEAR TO TELL THE TRUTH

Count Esterhazy Refuses to Testify. Madame Dreyfus Not Allowed to Answer an Important Question Concerning Paty du Clam--Zola's Friends Attacked by Mobs.

Paris, Feb. 8.--M. Casimir-Perier, former president of France, was a witness in the Zola trial today, and he created a commotion by declining to swear to tell the truth. "It is my duty not to tell it," he said to the court.

Upon being assured that the law compelled him to take the oath, the ex-president submitted. Zola's lawyer then asked him: "Can you say, if, when you were president, you knew what happened if this beautiful woman has been permitted to give the foregoing evidence in court, which she would have done if allowed."

"I do not know any facts subsequent to my presidency," said M. Casimir-Perier. "I can only speak as a private citizen, which I am willing to do."

"You are setting a noble example," replied M. Laborie, "which other witnesses have not deemed fit to follow, since it has been necessary to bring them here by force."

M. Laborie made a formal application in the interests of justice that his previous questions be allowed to be put.

The judges, after deliberating on the matter, refused to allow the question.

ESTERHAZY REFUSES TO TESTIFY. A letter was read from Major Count Esterhazy, in which he refused to testify and Zola's counsel insisted that he should be brought into court by force.

The court decided that Mercier, former minister of war, and Colonel Paty du Clam should be ressumoned and that the names of other witnesses alleged to be ill should be investigated.

Madame Dreyfus was the first witness. When asked under what circumstances Colonel Paty du Clam had informed her of her husband's arrest, the court refused to permit the question. Zola thereupon arose and cried: "I desire the same treatment as the assassin or the thief. They have always the right to defend themselves, but I am deprived of this. I am mocked and insulted in the streets, and the obscene press drags me in the mud. You see, gentlemen of the jury, the position I am in. I will not have my witness heard, but I am prevented."

The court finally said it would enter Zola's protest, but could not permit questions foreign to the indictment.

The defense then submitted to the discretion of the court a list of questions to be presented to the witnesses. Meantime the session was suspended amid deafening tumult. Mrs. Dreyfus becoming hysterical.

Finally, when court resumed, Zola said he would stand by the law. During the day, an attempt was made to introduce letters between General Gonz and Colonel Picquart showing that the founder favored re-opening the Dreyfus case, but the court ruled that they were inadmissible because "previous notice had been given."

M. Clemenceau, counsel for M. Perrier, manager of the Aurore, who is being tried with Zola, here declared that Colonel Picquart submitted those letters to the president of the Dreyfus court martial, who impounded them without reading them to the court, thus it was impossible to give notification of them as evidence.

M. Scheurer-Kestner, who was the witness, sketched the contents of the letters, in which Colonel Picquart wrote that fresh facts had been discovered which would be "eagerly seized upon by the Dreyfusians, who would create a great scandal."

General Gonz replied that it was "too late to stop the matter now." When the court was shown the day there was a big crowd outside the lower court, and as the people were leaving the building a man cried "Vive Zola." "Down with France!" He was immediately arrested.

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REVOLUTION IN NICARAGUA

Captain of the Alert Leads Marines to Protect American Citizens.

REBELS HOLD SAN JUAN DEL SUR

The City Has Been Seized and the Government Troops Have Attacked It in an Attempt to Dislodge Them. Three United States Ships Near the Scene.

Washington, Feb. 8.--A serious revolution has broken out in Nicaragua, and Captain Leaute, of the Alert, has called the navy department that he has landed marines to protect the American consulate at San Juan del Sur. That city has been seized by the rebels and the government troops have attacked it in an attempt to dislodge them.

San Juan del Sur is near the western terminus of the Nicaragua canal and is a cable station. The United States has three ships near the scene of the disturbance and ample measures will be taken to safeguard American interests.

DISOWNS QUAY AND ANDREWS. W. A. Stone Quotes That He Is Not Their Candidate for Governor.

West Chester, Pa., Feb. 8.--Additional interest was lent to the fight between the Republican factions for delegates to the gubernatorial convention by the announcement by Jesse Cope, heretofore one of the anti-Quay leaders, that he was a candidate for delegate, and that if he was elected he would vote for W. A. Stone for governor. In making his announcement Mr. Cope submitted the following letter, which he recently received from Mr. Stone, his old schoolmate, in reply to his own letter of inquiry:

"Let me answer the two charges against me; first, that Quay is for me, and second, that Andrews is for me, and that because these two men are for me I ought not to be nominated. I cannot create a civil service examination to pass upon the morals and qualifications of those who wish to support me and decline the support of those who are thought unfit."

"As to the first, I do not know whether Quay is for me or not. He has never told me or any one else, so far as I can learn. I know that all the other candidates are urging him to be for them; that he tells them he is keeping his hands off, and then some of these candidates are mean enough to go away and tell that it will not do to nominate me because Quay is for me. They will not have any more of this kind of reasoning that Quay is for me is because I was for him in 1895."

"As to Andrews, he is not running my campaign at all, and never has. He moved into Allegheny, where I reside, last summer for business reasons. I know him very slightly before that, having met him but a few times. Finding the people where I live for me, he decided to support me, and I did not object."

I am told, and believe, that in November last a meeting was held in Philadelphia by persons opposed to my nomination. They could find nothing to say against my character or fitness for the office, and so it was agreed that they should start the cry that I was 'Bill' Andrews' candidate, and send it out through the newspapers. I am no one's candidate, and if elected I will be no one's governor but the people's. I have no desire to be governor, except that I may honor and dignify the office and faithfully and honestly do my duty."

THEY WERE TOO HASTY. German Authorities Acted Unwisely in Exclusion of American Fruit.

Washington, Feb. 8.--It is intimated that the German authorities are beginning to regret that they have acted with undue precipitation in the enforcement of the decree excluding American fruits, and it is said that a disposition has been shown to attribute the severity of the action taken to the excessive zeal of subordinate officers stationed at the principal ports and on the frontier.

Today Ambassador White cabled the state department that the present importation of live plants was absolutely prohibited, that fresh fruit imported was being destroyed, and that as much as the value of the live plants and shrubs exported from the United States to Germany last year was only a little more than \$5,000, the last phase of the exclusion decree is not regarded as of very large importance.

ENGINEER'S SUICIDE. James Givens Shoots Himself--Death of a Brakeman.

Lancaster, Pa., Feb. 8.--James F. McCoy, of Harrisburg, a Pennsylvania railroad brakeman, slipped and fell from the top of a car where he was walking, near Elizabethtown, today. He went under the wheels and was instantly killed.

James Givens, a Pennsylvania engineer, shot and killed himself after going around town and bidding his friends good bye. He was 45 years old and lived in Columbia, where he leaves a widow and daughter. It is said that an illicit love affair caused the deed.

Engagement at Quintana. Havana, Feb. 8.--From Spanish sources it is announced that the Maria Cristina has been engaged at Quintana, this province, with the insurgent force under the command of Betancourt, Arango and Sanguly. The insurgents, it is added, have killed, including a captain, on the field, and the government force, according to the Spanish version, has eight soldiers killed and a major and twenty-two soldiers wounded.

Train Over an Embankment. St. John, N. B., Feb. 8.--The Quebec express on the Inter-Colonial railway, due here at 10:30 o'clock, plunged over an embankment at Peit, Rouge, seven miles from Bathurst, killing the engineer, William Bastian, and badly injuring Fireman Poole. The cause of the accident is supposed to be a broken rail. The passenger cars did not go over the embankment and the passengers escaped injury.

Postmaster of Punksutawany. Washington, Feb. 8.--The president today sent to the senate the nomination of David McQuown to be postmaster at Punksutawany, Pa.

NO CHINESE LOAN. The Idea of Raising One Reported to Have Been Abandoned.

St. Petersburg, Feb. 8.--According to trustworthy intelligence, China has finally abandoned the idea of raising a loan in London or elsewhere.

PEKIN, Feb. 8.--The Tsung-Li-Yamen has instructed the Viceroy of Nanking to receive Prince Henry of Prussia upon the latter's arrival at Shanghai.

Berlin, Feb. 8.--A despatch from St. Petersburg announces the arrival there of Shu King Cheng (former Chinese minister to Russia and Germany.)

OUR POLICY WITH SPAIN

Reciprocity Treaties with That Country Have Been Satisfied.

MR. WOODFORD'S NOTE

Replies to the Question of Filibustering.

Strong Arguments, Showing the Amounts Expended by the United States Towards Suppressing These Expeditions Have Amounted to \$2,000,000--The United States More Successful Than Spain in Apprehending Filibusters.

Washington, Feb. 8.--It is said at the state department that all attempts to state the nature of the Spanish reply to Minister Woodford's note of last December, at least so far as correspondents on this side of the Atlantic are concerned, are purely speculative and must be of necessity from the reason that up to this time the department itself does not know even the substance of the reply. This disposes of the stories that have appeared to the effect that the administration has been deeply stirred by cablegrams from Mr. Woodford relative to the Spanish answer.

Senator Dupuy de Lome, spent some time in consultation with Mr. Kasson, at the state department today, talking over the proposed reciprocity treaties to be arranged between the United States and Spain. It is said that the progress made so far is encouraging to both parties. The broad lines of policy have been laid down through the efforts of Mr. Woodford in Madrid and Messrs. Kasson and Dupuy de Lome in Washington, and the arrangements of the details of the treaties may be expected to begin at the next meeting. The Spanish minister has been informed that Dr. Angulo will come to Washington to represent the Autonomous government of Cuba in fixing the details of the treaties. The doctor is now in New York awaiting the return of Havana to Spanish General Blanco, who must sign his commission. He is a leader in the Autonomist party.

The attention of the Spanish minister was directed to the published statement that he had been in correspondence with the Spanish authorities in Cuba relative to the suspension of a pension that was being paid to Julio Sanguily because of the return of the latter to Cuba against the terms of the agreement.

The minister said the whole story was the veriest nonsense; that he had nothing to do with Sanguily, and, in fact, did not even know the man.

MINISTER WOODFORD'S NOTE. From a reliable quarter it was learned today that the recent note delivered by Minister Woodford to the Spanish government relates to the question of filibustering, and is a strong showing of what the United States has done and the amount of money the government has spent in stopping filibusters.

The note was drawn out by the reply of Spain to a previous note in which it was suggested that the Cuban insurrection gained much of its strength through filibustering parties organized and equipped by the United States, and that this was one of the reasons which increased the difficulties in bringing the insurrection to a close.

Now Minister Woodford has rejoined with an array of facts and figures, showing in detail the painstaking efforts made by the United States to stop filibustering. The statement showed an aggregate expenditure upwards of \$2,000,000 by this government in running down filibusters, maintaining detectives, equipping vessels and searching parties. It showed also that the United States has been more successful in this regard than Spain, as the detailed statement shows how large filibusters were apprehended, broken up, and prosecutions carried on by the federal authorities, while the Spanish naval force surrounding the island of Cuba has not succeeded in accomplishing equal results. The competitor party being, it is said, the only one of any proportions which has been apprehended by the Spanish.

Concerning the reports that the last specific time be fixed for bringing the uprising to a close, it is said that the question of specific time does not enter into the case, but any discussion on that point concerns the question of what is "reasonable time" within which the conflict should be closed.

London, Feb. 8.--The Madrid correspondent of the Times says: "The government protests that it has no intention to tamper with the Cuban customs tariff in order to benefit Spain or injure foreign powers. On the contrary, it recognizes the importance and will heartily co-operate in the development of commerce between the United States and Cuba. The official relations between the United States and Spain are said to be cordial and give no cause for anxiety."

ARMOR FOR NEW WARSHIPS. Senate Committee Recommends a Contract with Existing Firms.

Washington, Feb. 8.--The senate committee on naval affairs today agreed to recommend an amendment to the naval appropriation bill authorizing the secretary of the navy to enter into a contract with existing armor plants for supplying armor for the three battleships, the Albatross, Illinois and Wisconsin, now in course of construction. If proper terms could be secured, in the matter of terms the committee was guided by the suggestion of Secretary Long, that a contract could be secured at the rate of \$400 per ton for armor. That rate was fixed as the maximum.

Previous to the taking of the vote there was some discussion of the subject, some of the members holding to the view that the government should proceed with its own plant, and others holding to the view that the government should purchase armor from private concerns. Tillman and Butler cast the only votes against the provision. There is an informal understanding that the question of a government plant is to be taken up at the next meeting.

Electrician's Fate. New York, Feb. 8.--Winfield S. McDowell, an electrician of Flatbush, L. I., lost his life today by a cave in of sand under the sidewalk in front of 40 and 42 Broadway, this city. The police think he was trying to tap the telegraph wires under Broadway for the benefit of some pool room or bucket shop.

The Herald's Weather Forecast. New York, Feb. 8.--In the middle states and New England, today, fair to partly cloudy and slightly warmer weather will prevail, with southerly to southeasterly winds, causing haze and fog on the coast, followed by rain in the western districts of this section this afternoon, and possibly light rain on the seaboard in the night.

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